Constitutional provisions for the Rights of non-Muslim Minorities in Pakistan

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Abstract:
Pakistan is a Muslim country and got freedom from British Government, on August 14, 1947. It was separated from India on the basis of Islamic ideology. Though majority of population was Muslims but there was sufficient number (5%) of non Muslims, such as Hindus, Christians, Sikhs, Calashes', Baha'is, Zikaria's, and Parsis etc. The presence of non Muslims in Pakistan was a great challenge to safe guard their rights in the constitution of Pakistan to maintain the communal harmony in the country. This paper focuses on the provisions of non-Muslim rights in the constitution of Pakistan. It discusses the constitutional provision for the rights of non Muslims. Such as personal law, freedom to religion, safe guard against special taxes, non discrimination in respect of access to public places, discrimination in services, preservation of language script and culture, promotion of social justice and predication of social evils , right to vote, reservation of seats in National assembly and to run and manage their religious institutions. This paper also suggests some recommendations for the solution of contemporary non Muslim minorities, problems in Pakistan and also achievement of Ministry of non Muslim Minorities Affairs, 2008 to 2010 in Pakistan.

Introduction
Historical background and British Period:

Many countries of the World in this era were under the control of United Kingdom (Common wealth), including Pakistan ,Which inherited the corpus juries of statutory rules and jurisprudence, devised and enforced by the British Government during the last quarter of the nineteenth century. The codification of English common law in India was easy enough, but its implementation proved difficult as British jurists attempted to apply their own rules to an environment comprised of many diverse faiths. The challenge was to give equal and uniform

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treatment to respective religious laws. Without the availability of the precedent from England, this change required innovation. As such, the religious doctrines of different faiths found statutory recognition and enforcement for the adherents of the relevant faiths in matters of personal law under the newly formed laws. Distinct laws governing activities such as marriage, divorce, adoption, trusts, and religious customs were made available to the followers of different religious faiths in accordance with their respective faith .Thus, Christian personal laws only applied to Christians, and the Muslim or Hindu personal laws only applied to followers of those religions. This type of system was necessary since British India had millions of followers of every major religion.

During British rule, the Constitutional law of India did not directly deal with freedom of religious as the provincial (or state) laws were devised to reach this result. However, the Indian Penal law, codified and enforced by Federal law, did contain several provisions on this issue; Pakistan has kept these Indian penal laws largely intact since it gained independence in 1947.[1]

Independency of Pakistan and Constitutional History

Muhammad Ali Jinnah introduced a resolution for the division of British India in the spring of 1940 at Lahore. Jinnah tried to unite the Hindus and Muslims communities two times through "Lahore resolution" But he failed. After that he called for a separate Independent Muslim State.[2]

Pakistan is usually described as a Muslim state. Majority of the population are Muslims. It's Religious and political leaders take delight and pride in calling it is an Islamic Democratic and Welfare Country. It came into existence through a peaceful democratic movement. When Pakistan actually emerged as a nation on 14th August, 1947 who called for a single Muslim State, Pakistan. The new State's Capital was Karachi. Partition still left one- third of the subcontinent's Muslim in India; after the separation of East Pakistan and the birth of Bangladesh in 1971, Pakistan was left with 45 percent of his original population, the number of its Muslims citizens being less than those in India. For the first 24 years of its history Pakistan had two constituent parts: West Pakistan ,comprising the four provinces of the Punjab (western half of the old Punjab),Sind, the North west frontier province (NWFP),and Baluchistan; and East Pakistan, Comprising East Bengal, which seceded after a bitter political struggle and Military conflict from Pakistan in December 1971 to become the new state of Bangladesh with 55 percent of the population. Pakistan is bounded to the west by Iran, to the East by India, China to the northeast and Afghanistan in the north. There are federally ruled territories, including the capital, Islamabad, and country controls a part of the former princely state of Jammu and Kashmir. Almost all the people 97 percent are Muslims, two third are Sunnis professing the Hannifian school of jurisprudence. Nearly one third are Shi'ites, who are subdivided into Ismailis (followers of Agha khan), the twelvers (Ithna-a-Asharias) and Bohras. Besides these, there is a very small though influential Sect of Ahmadiyahas, or Quadianis, who do not accept Muhammad (pbuh) the final prophet, which constitutes the first of the five basic tenets of Islam. In 1974, a

constitutional amendment categorized the Ahmadiyahs as non- Muslim; they were grossly persecuted during the decade long Zia regime (1977-88). Hindus and Christians account for 1.5 percent each, and there are small numbers of Parsis or Zoroastrians. Consequently, it is whoever, not exclusively of Muslim population but contains several millions of non Muslims citizens. They consists mainly Hindus, Christians, Parses, Calash, Baha'i, Sikhs, Zikries and others scheduled costs, etc.[3]

According to G.W. Choudhury (2007&1956), "The Muslims of Pakistan are, in fact, deeply conscious of the valuable contribution, which their non-Muslim compatriots have made and continue to make towards enriching the national life socially, economically and culturally".[4] The main important objective of the country was the creation of Constitution of Pakistan provides the best guidelines to deal with all type of non–Muslim religious minorities in Pakistan. Pakistan was envisioned as a progressive, democratic and tolerant society, which, while retaining a Muslim majority, would give equal rights to its non-Muslim citizens. Without calling it a secular state, Jinnah and his modernist Muslim colleagues believed that Pakistan would improve its people's socio economic conditions, and the people of all faiths and practices would continue to live as equal citizens.[5]

The views of Quaid-e-Azam Muhammad Ali Jinnah

The founder of Pakistan Quaid-e-Azam Muhammad Ali Jinnah (R.A), in April 1944 said, "With regard to the minorities, we Muslim will not stand behind any civilized nation of the World. I am sure, when the time comes, the minorities living in different areas of our Country will see that their Muslim rulers are not only fair but also generous and why not the tradition of Islam is like that".[6] What should be the rights and the safe guards for these important non-Muslims minorities groups in is a question which engaged the attention of the framers of the constitution from the very beginning of their work. "The constituent assembly of Pakistan came into existence on august 10, 1947, and within two days of its establishment, the constituent assembly set up a committee to advise it on the fundamental rights of the citizens of Pakistan and on matters relating to the minorities." [7]

Quaid-e-Azam, Muhammad Ali Jinnah (RA) On 11 August 1947, in his inaugural speech at the first session of the first Constituent Assembly of Pakistan, laid down the policy of the new state towards its minorities. Jinnah said, "you are free, to go to your temples, you are free to go to your mosques or to any other places of worship in state of Pakistan."[8]

Though Pakistan was created specifically for Muslims, Jinnah continued to proclaim tolerance for all religions".[9] This pluralistic sentiment became canonized in the 1949 "Objectives Resolution," which was created to provide guidance to the drafters of Pakistan's first constitution.[10] It states, in part: Muslims shall be enabled to order their lives in the individual and collective spheres in accord with the teachings and requirements of Islam as set out in the Holy Quran (sic) and Sunna; ' 'and an adequate provision shall be made for the

minorities freely to profess and practice their religion and develop their culture'.[11] This separation of religion and state was to be based on tolerance and equity.

Jinnah also declared, "You may belong to any religion or caste or creed that has nothing to do with the business of the state. We are starting with the fundamental principle; that we are all citizens and equal citizens of one state. Now I think we should keep that in front of us as our ideal and you will find that in course of time Hindus and Muslim would cease to be Muslims not so in the religious sense because that is the personal faith of each individual, but in the political sense as citizens of the State".[12]

Dr. Waheed-uz-Zaman(1974) writes in his book, "Jinnah had no doubt in his mind that the future Constitution would be Islamic. Addressing the student of Islamia College Peshawar, he categorically announced that, "The league stood for carving out States in India where Muslims were in numerical majority to rule there under Islamic law".[13]

Quaid-e-Azam, Muhammad Ali Jinnah, give the surety to Peer of Manki Sharief, in his letter. Jinnah wrote, "that it is needless to emphasize that the Constitutional Assembly which would be predominantly Muslims in its composition would be able to enact laws for Muslims not in consistent with the Shariat laws and the Muslim will no longer be obliged to abide by the un Islamic law".[14] With these views of the Quaid-e-Azam, numbers of efforts have been made by the previous leaders to realize the basic ideology of the founder of the country through enacting following constitutions to safe guard the fundamental rights of both the Muslims and non Muslims. Let us now review the provisions for the non-Muslims in three constitutions of the Country.

The Provisions of non-Muslims in Constitutions of Pakistan: 1956, 1962 and 1973

Pakistan has three Constitutions and number of amendments introduced by the democratic and non democratic rulers (Marital Law Administrators) since its independence from the British. Just after independence the newly born State adopted Government of Indian Act 1935 with slight amendment. In 1949 the objectives Resolution was passed. The first constitution of Pakistan was implemented on 23 March 1956, the second Constitution was presented in 1962 in the period of general Ayub khan while the third Constitution was framed in 1973, which was the first Pakistani constitution agreed by the elected representatives and approved by the largely public opinion across the Country.

In the preambles of all the above mentioned Constitutions, It is clearly stated that the country would be governed in accordance with the Islamic laws laid down in Holy Quran and Sunnah based on the Objectives Resolution passed in 1949. Furthermore, the preamble of the constitution also contains the following assertion about the fundamental rights of the Muslims and non Muslims. Firstly, it allowed that every Muslim citizen to profess their religion and practice Islamic Laws irrespective of their colour creed and religion. Secondly the constitution protected the rights of the non- Muslim. Thirdly, no law would be passing if it

was repugnant to the injunction of Quran and Sunnah, "based on Islamic principles of social justice".[15]

The constitutions also protected the life of the Muslims and non Muslims "in accordance with the teachings and requirements of Islam as set out in the Holy Quran and the Sunnah," [16] and prohibited any laws "repugnant" to Islam as set forth in the Quran and Sunnah[17]. The preamble also provided that "adequate provision shall be made for the minorities freely to profess and practice their religions and develop their cultures." [18] These general principles were then broken out into specific religious rights in Article 18 of the Constitution[19]. Nonetheless, the 1956 Constitution was short lived. Following a 1958 military coup under General Muhammad Ayub Khan, a new constitution came into being as part of the restoration to civilian rule. Though the 1962 Constitution established several Islamic institutions, it gave them no real legislative power.[20]

A renowned, political Scholar described, "That the guidance of the Objectives Resolution was followed by the Constitutional drafters, and in 1956, the first constitution came into being".[21] Thus everyone wanted a new constitution. Further, for Pakistan to have its own political Identity, it was felt that it should have its own constitution rather than continuing with imperial tradition and rules. Moreover, Pakistan wanted to look different from India, Where there was a growing demand for a secular system. The Pakistani elite wanted to construct a pronounced a Muslim Identity. Further, two portions of the 1956 preamble were notably missing from the 1962 version: the repugnancy clause and any references to "Quran and Sunnah". [22]

Shortly thereafter, however, even though General Khan staffed the newly formed Islamic institutions with secularists, intense pressure from Islamists forced a 1964 constitutional amendment[23]. The amendment reinstated the repugnancy clause and added an additional phrase stating, "No law shall be repugnant to the teachings and requirements of Islam as set out in the Holy Quran and Sunnah, and all existing laws shall be brought into conformity there with". [24] This additional phrase introduced a way to enforce the repugnancy clause and was the first of many steps taken to ensure the Islamic status of Pakistan.[25]

Subsequently, many regimes would use the Islamic factor, not only for nation- building purposes but also for legitimizing their policies. This interdependent relationship, especially during the 1980s, did not bind well for Pakistan and its minorities.

Iftikhar Hussain, Malik (2002), in his research report writes "this is considered to be the charter of Pakistan and summation of Jinnah's views on the role of religion and the state. But, over the succeeding decades, especially in the 1970s and 1980s, the Pakistan state, rather than guaranteeing equal rights and equal opportunities to its Muslims and non-Muslim citizens, began to encourage obscurantist forces."[26]

The 1973 Constitutional Provisions for the Non-Muslims in Pakistan:

The constitution of 1973 was the first constitution framed with popular consensus. It provided strong foundation of Law and the supremacy of the

Parliament through representative Government. It bridged the gap created by a long Military rule and the separation of Bangladesh from Pakistan. It was the first Constitution of Pakistan that in the beginning made clear that the Islam would be the State religion of Pakistan.

Rubya Mehdi (1994), in her book entitled, "The Islamization of the Law in Pakistan" wrote "The 1973 Constitution also retained the retroactive clause of the 1962 Constitution requiring all existing laws to be brought into conformity with the injunctions of Islam" and created the council of Islamic Ideology to enforce implementation of the clause"[27]. The Constitution of 1973 also contained the basic Human Rights. It especially discusses the rights of Non-Muslims and religious freedom extended to them in Islam.

Article-2: States Religion

Islam shall be the state religion of Pakistan. The principles set out in the Objectives Resolution are herewith made substantive part of the Constitution and shall have effect accordingly.[28]

Article 4: Rights of individuals to be dealt with in accordance with law, etc

(1) To enjoy the protection of Law and to be treated in accordance with law is the inalienable right of every citizen, wherever he may be, and of every other person for the time being within Pakistan.[29]

(2) In particular:

(a) No action detrimental to life, liberty, body, reputation or property of any person shall be taken except in accordance with law;

(b) No person shall be prevented from or be hindered in doing that which is not prohibited by law; and

(c) No person shall be compelled to do that which the law does not require him to do.[30]

Article 20: Freedom to profess religion and to manage religious institution

Subject to law, public order and morality:-

(a) Every citizen shall have the rights to profess, practice and propagate his religion; and

(b) Every religious denomination and every sect thereof shall have right to establish, maintain and manage its religious institutions[31].

Article 21: Safeguard against taxation for purposes of any particular religion

No person shall be compelled to pay any special tax the proceeds of which are to be spent on the propagation or maintenance of any religion other than his own[32].

Article 22: Safeguards as to educational institutions in respect of religion, etc

(1) No person attending any educational institution shall be required to receive religious instruction, or take part in any religious ceremony, or attend religious worship, if such instruction, ceremony or worship relates to a religion other than his own.

(2) In respect of any religious institution, there shall be no discrimination against any community in the granting of exemption or concession in relation to taxation.

(3) Subject to law:

(a) No religious community or denomination hall be prevented from providing religious instruction for pupils of that community or denomination in any educational institution maintained wholly by that community or denomination; and

(b) No citizen shall be denied admission to any educational institution receiving aid from public revenues on the ground only of race, religion, caste, place of birth.

(4) Nothing in this Article shall prevent any public authority from making provision for the advancement of any socially or educationally backward class of citizens.[33]

Article 25: Equality of citizen

(1) All citizens are equal before law and are entitled to equal protection of law.

(2) There shall be no discrimination on basis of sex alone.

(3) Nothing in this article shall prevent the state from making any special provision for the protection of women and children.

Article 26: Non discrimination in respect of access to Public Places

(1) In respect of access to places of Public entertainment or resort not intended for religious purposes only, there shall be no discrimination against any citizen on the ground of only race, religion, caste, sex, residence or place of birth.

(2) Nothing in clause

(i) Shall prevent the state from making any special provision for women and children.[34]

Article 27: Safeguard against discrimination in services

No citizen otherwise qualified for appointment in the service of Pakistan shall be discriminated against any such appoint on the ground only of race, religion, caste, sex, residence or place of birth.[35]

Article 28: Preservation of Language, Script and Culture.

Subject to Article 251, any section of citizens having a distinct language, script or culture shall have the right to preserve and promote the same and subject to law, to establish institutions for that purpose.[36]

Article 36: Protection of Minorities.

The State shall safeguard the legitimate rights and interests of minorities, including their due representation in the Federal and Provincial services.[37]

Article 37: Promotion of social justice and eradication of social evils

The States shall:

(a) Promote, with special care, the educational and economic interests of backward classes or areas;

(b) Remove illiteracy and provide free and compulsory secondary education within minimum possible period;
(c) Make technical and professional education generally available and higher education equally accessible to all on the basis of merit;
(d) Ensure inexpensive and expeditious justice;
(e) Make provision for securing for just and humane conditions and work, ensuring that children and women are not employed in vocations unsuited to their age or sex, and for maternity benefits for women in employment;
(f)Enable the people of different areas, through education, training, agricultural and industrial development and other methods, to participate fully in all forms of national activities, including employment in the service of Pakistan;
(g) Prevent prostitution, gambling and taking of injurious drugs, printing, publication, circulation and display and obscene literature and advertisements;
(h) Prevent the consumption of alcoholic liquor otherwise than for medicinal and, in the case of non-Muslims, religious purposes; and
(i) Decentralize the Government administration so as to facilitate expeditious disposal of its business to meet the convenience and requirements of the public.[38]

Article 51: Right of Vote Costing, Reserved Seats in National Assembly.

(2A) In addition to the number of seats referred to in clause
(1A), there shall be in the National Assembly,
10, additional seats reserved for non-Muslims.[39]

As follows for the persons referred to in clause of article106. Christians, Hindus and persons belonging to the scheduled casts ,Sikh, Buddhist and Paris's communities and other non Muslims persons belonging to the Qadiani group or the Lahori group .(who call themselves Ahmadis) [40]

Article 106: Number of Seats, Specified for non-Muslims

(a) In addition to the seats in the Provincial Assemblies for the Provinces of Baluchistan, the Punjab, the North-West Frontier and Sindh specified in clause (1), there shall be in the those assemblies the number of seats hereinafter specified for non-Muslims.

Explanation:

Where no independent seats is allocated to a minority in a province for being very small in number, the seat allocated jointly to all other non Muslim in that province shall be demand to include that Minority.[41]

Achievements of Ministry of Minorities Affairs Pakistan (2008-2010)

1. For the first time in the History of Pakistan 05% percent Quota in Federal services has been reserved for minorities. This will be proved a major change in the socio economic status of the Minority Communities in Pakistan. On the same analogy, Punjab government has also allocated

05% quota in Provincial of Punjab and other Provinces are working on it.

2. The present Government has also declared the 11th of August as “Minorities Day” which is being celebrated at official level
3. To mainstream the Minorities, Ten (10) Religious Festivals of Minorities are celebrated officially in Pakistan. During the year, the Ministry has celebrated Besakhi, Dewali, Holi, Eid-i-Rizwan, Chelumjusht, Nauroze, Christmas and Easter festivals of Sikh, Hindu, Bahai, Kalash, Parsi and Christian Communities respectively .
4. The Government of Pakistan has provided proportional representation to the Minorities in the seats in National/Provincial Assembly. Thus, in addition to the (10) reserved seats in the National Assembly of Pakistan, the Minorities candidates can also contest on the Open Seats which was not so in all earlier Elections held in Pakistan from 1985 to date.
5. Government has reserved four (04) seats in Senate, upper house of the Parliament.
6. Minority Protection Bill is being submitted in Parliament vide which this Ministry has a case through Ministry of Law & Justice to enhance their reserved seats in the National Assembly / Provincial Assemblies.
7. For removal of discriminatory laws against minorities, consultations with all stake holders are under way and soon the case will be taken up through Ministry of Law & Justice.
8. For up keep of the Religious places and economic uplift 135 Small Development Schemes worth Rs.147 Million have been approved Government during Financial Year 2008-09.
9. To help deprived and needy persons of Minority Communities a total fund to the tube Rs. 32 Million have been granted and 3000 deserving students of Minorities have been provided scholarships with an amount of Rs.16 Million.
10. The Ministry of Minorities has spent Rs. 08 Million for relief package for the Minority IDPs in addition to provision of food, shelter, and educational facilities for them.
11. The total outlay for the Ministry of Minorities which was never more than Rs. 75.00 million was enhanced to Rs.166.00 Million in the financial year 2008-09 which indicates the high priority attached to the uplift of Minorities.
12. The Government has announced that remission will be granted to non-Muslim prisoners on their religious festivals.
13. The government has announced ownership rights for the residents of Katchi Abadies / Slum Dwellers of Islamabad.
14. The Government has announced for the establishment of Prayer Rooms for different minorities in all Prisons of Pakistan.
15. On the recommendation of Pakistan has approved 21st of April each year as the Optional Holiday for the Bahai’s Community. It is pertinent to mention here that Government of Pakistan has already allowed the

different Minorities to avail the optional holiday at their religious event, but the Bahai's Community was deprived from it. Now they have also been allowed for it.

16. Help in Kasur : On hearing the incident of Kasur regarding attack on Christian Minorities in village Bahmi Wala, Distt. Kasur by some miscreants. Federal Minister for Minorities Mr. Shahbaz Bhatti condemned and ordered the Police for the immediate arrest of the Culprits. Federal Minister immediately visited the concerned village and assured the people that their lives and properties are safe in this Country and we will not allow any miscreant to create the Law & order situation and disharmony in the Country. Federal minister also directed the Police Authorities to investigate the matter and submit report shortly. Federal Minister appealed the people to live with Peace and harmony and Unity and do not allow the miscreants to be successful and show National Unity. Federal Minister also distributed the financial compensation of Rs. 100,000/- among 54 each family affected in the incident.
17. Help in Goira Korian: On hearing the incident of attack on Korian and Gojra, Ministry of Minorities condemned the incident and approached the Police for the immediate arrest of the Culprits. Federal Ministry immediately visited the Korian and Gojra and became the part of the protest made by the residents of Gojra against the behavior of the local administration and got lodged FIR against the responsible. The Ministry distributed the goods among the affecters and financial help of Rs. 500,000/- was distributed among the legal heirs of the 09 deceased persons.
18. Help in Sialkot: On hearing the incident of murder of Mr. Farish in prison and burning of attack in Sambrial, Federal Minister immediately visited the Sialkot and Sambrial to control the situation. A financial help of Rs. 500,000 was distributed among the legal heirs of Mr. Farish Masih.
19. With the efforts of this Ministry, the displaced residents of Katchi Abadi Shehzad Town were provided temporary residents in sector H-9, Islamabad and the case has been taken up with Chairman, CDA for their permanent settlements.
20. Interfaith Harmony Committees are being established throughout the country at District Level. 12 such Committee have been proposed.
21. A Hotline is being established in this Ministry, through which the competent staff will be posted around the clock, who would ensure the timely redressed of minorities grievances.
22. Skill Development Centers for vocational training of minorities are being established throughout the country.
23. An Inter-faith Complex is being planned in Islamabad, which will be a major initiative towards creation of tolerance amongst the religions and harmony amongst the various creeds in society. This will ultimately promote peace in society.

24. Enactments of Sikh Marriage Act, Hindu Marriage Act and Parsi Marriage Act are under process in consultation with the relevant Minority Communities and will be finalized soon[42].

Constitutional provisions for Non- Muslims Minorities: Myth or Reality:

Despite all these constitutional provisions for the rights of Minorities the ground realities are showing different picture all together. There is no doubt that the religious freedom and equalities is guaranteed in some article s of the constitutions of Pakistan however several clauses curtailed the given religious freedom like separate electorate. A giant Buddha statue at Jehanabad, in the Sawat Region in Pakistan was mutilated by extremist on October, 8, 2007[43]. The law and Constitution (section 298-C, PPC) prohibits the Ahmadis community from holding religious conferences or profession their faith. Ahead of 1984 the Ahmadis community of Rabwa district Jung (Pakistan) was allowed to hold religious conferences and annual gatherings. These programs reportedly serve the purpose of strengthening faith. But since 1984 to date the government has barred the Ahmadi community from proselytizing their faith.[44] Furthermore St. Paul's bookshop owned by local nuns came under an attack by a contingent of 10 police men headed by the SHO, on June 13, 2005 at Sadder Karachi (Ref. Ibid). Furthermore, the religious tolerance seems to be on the vain that innocent people are being victimized because of their faith. The minority women are even more vulnerable than the Muslim women in the contemporary mail dominated society in Pakistan. Blasphemy law is a clear threat to freedom of thought. It is proven by the fact that among the accused under the Blasphemy laws there were eminent scholars, professors, writers, journalist and liberal thinker. The laws were used to silences, the voices of sanity, liberalism and moderation (ref. Ibid, 58). Similarly, many families of minorities are usually harassed by influential Muslims landlords for example, in Tehsil Gojra a Christian family of Chak No 242 GB Noorpur Basti, was booked into several false cases by influential Muslims.[45]

Furthermore, the approved curriculum for the school and colleges consists of biases and lessons that nurture prejudices against faith other than Islam. A negative portrayal of religious is common. Discrimination on the basis of religion in syllabi is a grave concern and need to address is emergent. Islamic studies are a compulsory subject from primary to University levels. Although ethics is an alternatives for non-Muslims for some classes but students are obliged to take Islamic studies, as taking the other option will single them out and will be source of enhanced discrimination. Moreover, there is no proper system of teaching in the institutions. There is no comparable arrangement for religious education for non-Muslims students. The students who learn the holly Quran by heart get 20 extra marks for admission to institutions for higher education, employment and professional studies. Religious lesson has been made part of all subjects expect Mathematics.[46]

Given the ground realities we can say that practically non-Muslims are facing lot of problems in every walk of life, which is contrary to the provisions of the constitutions.

Conclusion and Recommendations

It is clear that there are sufficient constitutional provisions to safe guard the rights of non Muslims minorities in Pakistan, a declared Islamic state. However, at the same time there is a lot of violation of the so called provision of rights in constitution. This causes the harassment of minorities indirectly and unintentionally. It is probably the main cause of practical instability of Pakistan where there are frequent riots among the different sects of people. Hence there is a need of effective leadership as well as public awareness on these issues. Malaysian model of constitution and culture seems to be an ideal one for Pakistan especially in public governance and mutual relationships of the people where there is a great tolerance among the different ethnic groups and races. The same can be adopted for Pakistan where, as per repeated assurance, Quran and Sunnah are supposed to be the constitution for the state while provision for the personal laws of other ethnic sections need be provided. Simultaneously the public should be made aware about of the importance of tolerance and educated on the same line. It is in the interest of the whole country and will lead to the great developments.

Thus there is need of restructuring the whole model and streamline it with effective enforcement which will need Muttaqi (God fearing) administrators in line with our golden history. The latest slogan of 1, Malaysia (Satu Malaysia) is really very appreciating in itself and has tremendous source of inspiration to the government and public of Malaysia. I wish and recommend the same for Pakistan (satu Pakistan) and wish too.

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